

Medicare beneficiaries at the substantially reduced prices already available under the Federal supply schedule. This important piece of legislation would dramatically lower prescription drug costs for senior citizens.

Most Americans are aware of the ever increasing costs of health care and prescription medication. But no segment of the American population is impacted more than our senior citizens. Senior citizens are having an increasingly difficult time affording prescription drugs. For senior citizens on fixed incomes, the cost of prescription drugs is one of their highest monthly bills and can mean the difference between buying basic necessities or medicine. No senior should ever be forced to choose between buying food or medicine, especially those with disabling ailments who often depend on their medication just to make it through the day.

Seniors are being forced to pay much steeper prices than the "most favored customers" of drug companies such as HMO's. It's just plain wrong for large pharmaceutical companies to be charging the highest prices to those who can least afford to pay them. Large corporations should not be making a profit at the expense of our senior's health.

H.R. 4646 would fix this problem by leveling the playing field for retail pharmacies who sell drugs to senior citizens. This legislation would allow retail pharmacies to buy medications used by senior citizens directly from the General Services Administration (GSA) of the Federal Government. Because the GSA is one of the entities able to purchase prescription medication at much lower prices, this procedure will allow pharmacists to pass on significant savings to senior citizens.

I am proud to be an original cosponsor of this legislation that protects the health of our Nation's senior citizens. I urge all my colleagues to join me in supporting this legislation.

MEDICARE+CHOICE MEDICAL NECESSITY PROTECTION ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 1, 1998

Mr. STARK. Mr. Speaker, I rise to introduce the Medicare+Choice Medical Necessity Protection Act. With passage of the Balanced Budget Act, Congress has opened the Medicare program to a host of private insurance companies that will be competing with each other to get the most Medicare patients while spending the least amount of money. One of the cost-saving mechanisms commonly used to managed care plans today is to interpret "medical necessity" on their own terms. In this manner, health plans can avoid paying for services that would be considered normal and appropriate based on the standard medical practice of the day. Using such means, health plans can and do override the medical decisions of treating physicians.

The clearest examples of this type of health plan behavior have also been areas where Congress has recently considered specific legislation. In the last Congress, we passed a law to prohibit health plans from requiring a mother who had just given birth to leave the hospital in less than 48 hours after birth. This

year, Congress has been considering similar legislation with respect to a two-day stay for women who have undergone mastectomies.

It is not good legislative policy to pass such case-by-case fixes to health plan behavior that we find abhorrent. Standard medical practices change on a continual basis. Having requirements for length-of-stay in federal law could become problematic if that medical standard changes. These decisions are best left in the hands of medical professionals. Unfortunately, with the growth of managed care in our country, it is often not medical professionals who are making such treatment decisions. These cases are becoming so blatantly arbitrary and without medical merit that Congress has been forced into action by public outcries. Rather than continue such case-by-case legislating, I support the creation of a medical necessity standard that would eliminate health plans' abilities to manipulate the standard.

Under this proposal, medical necessity would be defined as "a service or a benefit which is consistent with generally accepted principles of professional medical practice." This definition was part of the Democratic Patients' Bill of Rights (HR 3605), which created federal consumer protection standards for managed care plans in the private sector. It is also the common definition of medical necessity which has been established in case law over the past century.

The Medicare+Choice Medical Necessity Protection Act would add that same definition of medical necessity to the Medicare+Choice program. This change would help ensure that seniors' who join any of the new Medicare+Choice health plan options in Medicare would have the protection of knowing that their private health plan could not manipulate the rules in order to avoid coverage and payment for appropriate medical services. It would put medical decision-making back in the hands of doctors where it belongs—not under the control health plan bureaucrats.

Let me emphasize that this amendment would not mean that a health plan would ever be required to cover a service that is clearly not covered by the plan's contract. It only applies to covered services. So, if a health plan does not provide coverage for hearing aids, inclusion of this definition would never require the health plan to make an exception and cover a hearing aid for a particular person.

The Medicare+Choice Medical Necessity Protection Act is a simple, sensible bill. It would ensure that all Medicare+Choice plans are playing under a uniform set of rules for coverage determinations and would end the practice of health plans arbitrarily overriding doctors' judgments. Our Medicare beneficiaries deserve no less. I urge my colleagues to join me in support of this important legislation.

CONFERENCE REPORT ON H.R. 6, HIGHER EDUCATION AMENDMENTS OF 1998

SPEECH OF

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 28, 1998

Mr. FATTAH. Mr. Speaker, I cannot over-emphasize the importance of the passage of

the High Hopes/GEAR UP program as a part of the Higher Education Reauthorization legislation adopted by the House today. This program is the embodiment of all that is right about our legislative process and about the fundamental American creed which unites us as a people. I want to take the time to recount the history of this idea so that the record will show the difference that can be made when we are true to the process and to that creed.

The challenge which the High Hopes/GEAR UP program addresses is insuring that all American children have the opportunity to go to college. For the children of most middle class families, that college is an option after high school graduation is taken for granted. For most poor children, college is not even in the picture. No one they know has gone to college. If the thought ever occurs to them, it is dismissed as an unattainable fantasy. Often these attitudes and conclusions are based on misinformation about the cost of college, or about the availability of financial aid and other sources of support, or perhaps it's just that the notion of college is so remote from their experience that nothing in their lives has prepared them to take advantage of opportunities that might be right before their eyes.

Whatever the underlying dynamic, the end result is that children in poor neighborhoods often make life-changing decisions that deal them out of the mainstream game before they get their first chance at bat. Because the vision of their future is inevitably defined solely by what they see and what they know, they are too often drawn off onto the various side roads of life—high school dropout, teenage pregnancy, truancy, delinquency, and other anti-social activities. These outcomes serve no one. They destroy the young people's potential, they tax our society, and they waste our precious human capital.

The High Hopes/GEAR UP Program will elevate the vision of millions of young people to let them see that college is possible for them. It will give them a future to focus on that will help pull them successfully through their high school years in a way that prepares and positions them to go on to college. As is done for children of middle class families, the program is designed to surround them with the expectation that they will pursue this goal, give them the complete spectrum of information that they need to conclude that this goal is achievable, and strengthen the support systems needed to get them from here to there.

The High Hopes/GEAR UP Program will provide certainty to students and their families that they will be able to afford college. Beginning in middle school, the Secretary of Education will send children in high poverty neighborhoods, 21st Century Scholar Certificates that notify them annually of the financial aid that will be available to them for college when they graduate from high school. It will support partnerships between universities, businesses, and community-based organizations that will insure that these "21st Century Scholars" will have the mentoring, educational enrichment, social services and academic supports they need to stay in school, work hard, and graduate prepared for college. The unprecedented success of private programs such as Eugene Lang's "I Have a Dream" in New York, and Ruth Hayre's "Tell Them We Are Rising" in Philadelphia, gives us every reason to believe that these approaches will have a huge impact on high school graduation, college attendance, and college completion rates.

The High Hopes/GEAR UP Program began as the 21st Century Scholars Act (HR 777) which I introduced in the House of Representatives in May, 1997. It was given a truly long term lease on life by Sara Goldsmith who was an AAAS Fellow in my office at the time. Sara made it the primary goal of her Fellowship to secure at least 100 cosponsors for this legislation. By the time her Fellowship ended a year later, she had secured 120 cosponsors with strong representation from both sides of the aisle. This gave us the credibility and the impetus we needed to succeed in our efforts to move the bill through the other venues that must be cleared before a bill become law. Thank you, Sara.

The 21st Century Scholars Initiative was initially designed to provide low income children with the assurance that financial aid would be available for them to go to college, and to connect them with the mentoring and support services they need to succeed. As the legislation gained steam in the House, it captured the imagination of the White House, and a strong partnership emerged between my office and the office of Gene Sperling, Director of the National Economic Council. Our staffs, principally Bob Shireman of the NEC, Claudia Pharis, my Chief of Staff, and Pauline Abernathy of the Department of Education, worked to incorporate into the bill, provisions of interest to the Clinton Administration. What emerged from this process was the High Hopes 21st Century Scholars Program which continued the commitment to providing assurances regarding financial aid, and greatly improved and strengthened the mentoring and support services provisions of the bill. These four people, Gene Sperling, Bob Shireman, Claudia Pharis, and Pauline Abernathy, also deserve our thanks.

The next hurdle was the markup in the House Committee on Education and the Workforce of HR6, the Higher Education Reauthorization bill. Our objective was to add the High Hopes 21st Century Scholars Initiative to the HR6 as an amendment in Committee. Led by Lydia Sermons, then my Press Secretary, who was followed by Rebecca Kirsznier and Philecia McCain, my staff had launched a major communications campaign that had penetrated every office in the House of Representatives, the education advocacy organizations affected by the program, the higher education community, and through the media, the general public. Thank you, Lydia, Rebecca, and Philecia. By the time we reached markup, the support for this program was broad and deep, and the amendment which attached the bill to HR6 passed in Committee by a strong bi-partisan vote of 24 to 18. It should be noted that this incredible 6 vote margin was created with the cooperation of four of my Republican colleagues on the committee: Congressman GREENWOOD, SOUDER, MCINTOSH, and SCARBOROUGH. Committee staff, David Evans, Sally Stroup and Marshall Grigsby, and my legislative Director, Neil Snyder, were particularly helpful at this stage, and to them, I also extend my thanks.

Passage of the Higher Education Act by the House was virtually unanimous. We then faced the high hurdle of gaining Senate approval. There were already provisions in the Senate bill which addressed some of the same concerns addressed by the High Hopes 21st Century Scholars Initiative, however, the underlying program, called the National Early

Intervention and Scholarship Program, or NEISP, served a much smaller population through a much different delivery system. As designed, it was not able to address the targeting, motivational, and institution building objectives of the High Hopes program. Senators JEFFORDS and KENNEDY, the NEC and Treasury Department team, my Chief of Staff, and the staff of the Senate Committee on Education and Labor worked intensely over an extended period of time to iron out the differences between these two programs and forge a compromise for incorporation into the Senate bill that retained the best and most crucial features of each. Our hand was strengthened in this process by the fact that my staff orchestrated a process that resulted in bipartisan letters of support for High Hopes signed by over 150 Members of Congress being sent to the Chair and Ranking Member of the Senate Committee. In addition to the people I have already mentioned, special recognition at this stage goes to the other members of my staff, particularly Michelle Anderson, my Executive Assistant, and to Jennifer Smulson and Marianna Pierce of the Senate Committee on Education and Labor.

Next came the House and Senate conference where all the differences between the House and Senate bills had to be resolved. The NEC and Treasury staffs remained involved, as did my Chief of Staff, but importantly, at this point, we added the strong, committed, and vocal leadership of Congressmen SOUDER and ANDREWS to the process, both of whom served as Members of the Conference Committee. Their staffs, Amy Adair and Audrey Williams respectively, were highly responsible, professional and focussed in their commitment to provide strong representation for the bipartisan interests of the House of Representatives in preserving the integrity of the High Hopes Program. That mission was accomplished in Conference, and what emerged from the Conference Committee for presentation to the House of Representatives as the GEAR UP Program is very true to my original vision, to the vision of the President, and to Senator JEFFORDS' vision that all American children be surrounded with the expectation that they can and will go to college, and be provided with the support and encouragement they need to get there.

Department of Education Secretary, Richard Riley, and Leslie Thornton, his Chief of Staff are also unsung heroes of this process. The staff resources and informational support they provided were invaluable in the development of the concept, and I understand that Secretary Riley mentioned High Hopes in every public speech he made while Congress was working on the legislation.

But I have saved the best and most important recognition for last. I extend my heartfelt thanks to my colleagues in the United States Congress, both the Senate and the House of Representatives. I particularly need to thank Senators KENNEDY and JEFFORDS again, and to thank as leaders of the process in the House, Congressmen GOODLING, CLAY, MCKEON, and KILDEE. The brilliance of the American system of government, a strong spirit of bipartisanship, and an underlying commitment to creating opportunity were all evident in the way we rallied in support of the High Hopes/GEAR UP program. An ingrained belief in and commitment to fairness undergirds the American character. Congress-

man SOUDER offered as his motivation for supporting the program, that we cannot both, in good conscience, continue to dismantle our systems of social and economic support, and at the same time fail to provide people with the support they need to become self-sufficient. This attitude augurs well for the reduction of educational disparities in our society, and for the emergence of a Nation in which a higher percentage of our people are fully engaged in creating and enjoying its prosperity.

Education is the great equalizer. Our democratic society cannot sustain itself if we continue to create a larger and larger dependent population through our failure adequately to educate our people. It is important to America's future that we field our best team in the globalized, high tech economy of the next century. We can only do that if we make sure that everybody gets a chance to play.

SALUTING EFFORTS TO HONOR FRANCIS SCOTT KEY

HON. ROBERT A. WEYGAND

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 1, 1998

Mr. WEYGAND. Mr. Speaker, I would like to share with my colleagues today the fine work being done by one of my constituents to honor an often overlooked American patriot. Everyone knows his work but few know him. No matter where we hear it played, at the beginning of sporting events or during times of national mourning, the Star-Spangled Banner is an important part of our nation's life. The patriot that penned the words to our National Anthem, however, remains largely unknown.

Virginia L. Doris of Warwick, Rhode Island knows that patriot is Francis Scott Key. She has devoted a great deal of her time over the last several decades to right what she views as a mistake of history and make sure that more of her fellow Americans learn about Key. Along with an extensive amount of research into Key and his life, Ms. Doris has spent a great deal of time working to establish a national day of recognition of Francis Scott Key. In that regard, just this year she was successful in convincing the members of the Rhode Island General Assembly to designate August 1 of each year as Francis Scott Key Day in Rhode Island. Several years ago, she was successful in having the period between August 1978 and August 1979 as Francis Scott Key year in Rhode Island.

As part of her effort to bring public attention to Francis Scott Key and his role in the history of our nation, Ms. Doris commissioned—at great personal expense—a portrait of Key which was painted by Mario Ahumada, a gifted artist at the Rhode Island School of Design. Ms. Doris feels great connection to her work and she speaks very highly of Mr. Ahumada's dedication to the project and the final work.

Over the last several weeks, we have spent a great deal of time, both as members of the House of Representatives and as citizens, discussing the intent of our Founding Fathers as they drafted our Constitution. It may serve us well to listen just a bit more carefully to Francis Scott Key's words as he describes some of the events that paved the way to the establishment of our nation. I am sure my colleagues will join me in my admiration for Ms.